PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 04-05/03	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/US04/21871	International filing date *(day/month/year)* 09 July 2004 (09.07.2004)	Priority date *(day/month/year)* 11 July 2003 (11.07.2003)
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 11/00 and US Cl.: 714/38, 39, 40		
Applicant ZAKONOV, ALEX		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35, and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of _ 10 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

     a. ☒ *(sent to the applicant and to the International Bureau)* a total of 4 sheets, as follows:

         ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

         ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

     b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s))

     _____ , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

     ☒ Box No. I   Basis of the report

     ☐ Box No. II   Priority

     ☐ Box No. III   Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

     ☐ Box No. IV   Lack of unity of invention

     ☒ Box No. V   Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

     ☐ Box No. VI   Certain documents cited

     ☒ Box No. VII   Certain defects in the international application

     ☐ Box No. VIII   Certain observations on the international application

Date of submission of the demand 10 February 2005 (10.02.2005)	Date of completion of this report 13 April 2005 (13.04.2005)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-8266	Authorized officer Dieu-Minh Le Telephone No. (571)272-3660

Form PCT/IPEA/409 (cover sheet)(January 2004)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US04/21871

Box No. I   Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

   ☐ This report is based on translations from the original language into the following language _____ , which is the language of a translation furnished for the purposes of:

      ☐ international search (under Rules 12.3 and 23.1(b))

      ☐ publication of the international application (under Rule 12.4)

      ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international-application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

   ☐ the international application as originally filed/furnished

   ☒ the description:
      pages   1-11   as originally filed/furnished
      pages* NONE   received by this Authority on _____
      pages* NONE   received by this Authority on _____

   ☒ the claims:
      pages   NONE   as originally filed/furnished
      pages* 12-14, 14A   as amended (together with any statement) under Article 19
      pages* NONE   received by this Authority on _____
      pages* NONE   received by this Authority on _____

   ☒ the drawings:
      pages   1/4 - 4/4   as originally filed/furnished
      pages* NONE   received by this Authority on _____
      pages* NONE   received by this Authority on _____

   ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

      ☒   the description, pages NONE

      ☒   the claims, Nos. 5, 6, 17

      ☒   the drawings, sheets/figs NONE

      ☒   the sequence listing *(specify)*: NONE

      ☒   any table(s) related to the sequence listing *(specify)*: NONE

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

      ☐   the description, pages _____

      ☐   the claims, Nos _____

      ☐   the drawings, sheets/figs _____

      ☐   the sequence listing *(specify)*: _____

      ☐   any table(s) related to the sequence listing *(specify)*: _____

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

Form PCT/IPEA/409 (Box No. I) (January 2004)

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	NONE	YES
	Claims	1-4, 7-16, 18-20	NO
Inventive Step (IS)	Claims	NONE	YES
	Claims	1-4, 7-16, 18-20	NO
Industrial Applicability (IA)	Claims	NONE	YES
	Claims	1-4, 7-16, 18-20	NO

2. Citations and Explanations (Rule 70.7)
Please See Continuation Sheet

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY	International application No.
	PCT/US04/21871

Box No. VII   Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claim section is objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or contents thereof:
Page 15 or the claim section is improper and should be removed.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

V. 2. Citations and Explanations:
Claims 1-4, 7-16, 18-20 lack novelty under PCT Article 33(2) as being anticipated by McQueen (US patent 5,974,568).

As per claim 1:
      McQueen explicitly teaches:
A method for monitoring exception events generated by a software application, comprising:
Operating the software application to generated exception event data responsive to an exception event [abstract, figure 1, col.1, lines 55-57]
Monitoring the software application to identify an occurrence of said exception event and to obtain said exception event data [figure 7, col.1, lines 61-63, col. 2, lines 1-5];
Examining said exception event data to determine whether said exception event is a critical exception event and to identify critical exception event data [fig.5, exception 1 or exception 2 or exception 3];
Determining type of said critical exception event [critical or non-critical- fig.5]; and
Processing said exception event data responsive to said type of said exception event [col.5, lines 26-29].

As per claim 2:
      McQueen further teaches said operating includes operating said software application in a .NET framework and a J2EE framework [fig. 7].

As per claims 3-4:
      McQueen further teaches examining said exception event data to determine whether said exception event is at least one of a primary exception event and a derived exception event [col. 5, lines 10-15].

As per claims 7-10:
      McQueen further teaches the processing includes associating said collected exception event data with exception chain [fig.4, col.4, line 64 through col.5, line 6].

As per claims 11-12:
      McQueen further teaches said processing further includes associating said collected exception event information with said exception information database [fig.3, item 46, col.5, lines 35].

Form PCT/IPEA/409 (Supplemental Box) (January 2004)

Supplemental Box

As per claim 13:

McQueen further teaches said processing further includes labeling said exception event as at least one of a critical exception, a non-critical exception, a derived exception event and a primary exception event [col.5, lines 10-15, lines 51-53].

As per claims 14-16, 18:

These claims are similar to claims 1-4, 7-13 except for a system for operating a software application in a .NET framework, wherein the system includes machine-readable computer program code including instructions for causing to implement a method for monitoring exception event of claims 14, 7-13. Since a necessary for computer system having instruction or code resided within the machine-readable storage medium for performing the monitoring tasks. Therefore, these claims are also object under the same rationale applied against claims 1-4, 7-13 above.

As per claims 19,20:

Due to the similarity of claims 19, 20 to claim 14; the only minor different is these claims are directed to a medium encoded with a machine-readable computer program code. Therefore, these claims are also object under the same rationale applied to claim 14.

------------------ NEW CITATIONS ------------------

What is claimed is:

1.   A method for monitoring exception events generated by a software application, comprising:

operating the software application to generate exception event data responsive to an exception event;

monitoring the software application to identify an occurrence of said exception event and to obtain said exception event data;

examining said exception event data to determine whether said exception event is a critical exception event and to identify critical exception event data;

determining type of said critical exception event; and

processing said critical exception event data responsive to said type of said critical exception event.

2.   The method of Claim 1, wherein said operating includes operating said software application in at least one of a .NET framework and a J2EE framework.

3.   The method of Claim 1, wherein said determining includes determining whether said type of said critical exception event is at least one of a primary critical exception event and a derived critical exception event.

4.   The method of Claim 3, wherein said processing includes processing said critical exception event data responsive to at least one of said primary critical exception event and said derived critical exception event.

5.   CANCELLED

6.   CANCELLED

7.   The method of Claim 1, wherein said examining includes examining said critical exception event data to determine if an exception chain exists.

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AMENDED SHEET

8. The method of Claim 7, wherein said processing further includes collecting critical exception event data responsive to said critical exception event and creating an exception event information database.

9. The method of Claim 8, wherein said processing further includes creating said critical exception chain and associating said collected critical exception event data with said critical exception chain.

10. The method of Claim 7, wherein said processing includes associating said collected critical exception event data with said critical exception chain.

11. The method of Claim 1, wherein said examining further includes comparing said exception event data with data contained within an exception event information database to determine whether said exception event is said critical exception event.

12. The method of Claim 1, wherein said examining further includes labeling said exception event as at least one of a critical exception, a non-critical exception, a derived exception event and a primary exception event.

13. The method of Claim 12, wherein said processing further includes updating said exception event information database with said exception event data

14. A system for operating a software application in a predefined framework, wherein the system includes machine-readable computer program code including instructions for causing a controller to implement a method for monitoring exception events generated by the software application, the method comprising, comprising:

operating the software application to generate exception event data responsive to an exception event;

monitoring the software application to identify an occurrence of said exception event and to obtain said exception event data;

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examining said exception event data to determine whether said exception event is a critical exception event and to identify critical exception event data;

determining type of said critical exception event; and

processing said critical exception event data responsive to said type of said critical exception event.

15. The system of Claim 14, wherein said examining includes examining said critical exception event data to determine whether said critical exception event is at least one of a primary critical exception event and a derived critical exception event.

16. The system of Claim 14, wherein said predefined framework is at least one of a .NET framework and a J2EE framework.

17. CANCELLED

18. The system of Claim 14, wherein said processing includes processing said critical exception event data responsive to at least one of said primary critical exception event and said derivative critical exception.

19. A medium encoded with a machine-readable computer program code, the program code including instructions for causing a controller to implement a method for monitoring exception events generated by a software application, the method comprising:

operating the software application to generate exception event data responsive to an exception event;

monitoring the software application to identify an occurrence of said exception event and to obtain said exception event data;

examining said exception event data to determine whether said exception event is a critical exception event and to identify critical exception event data;

determining type of said critical exception event; and

processing said critical exception event data responsive to said type of said critical exception event.

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20.   A machine-readable computer program code, the program code including instructions for causing a controller to implement a method for monitoring exception events generated by a software application, the method comprising:

operating the software application to generate exception event data responsive to an exception event;

monitoring the software application to identify an occurrence of said exception event and to obtain said exception event data;

examining said exception event data to determine whether said exception event is a critical exception event and to identify critical exception event data;

determining type of said critical exception event; and

processing said critical exception event data responsive to said type of said critical exception event.

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